



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/872,590

05/31/2001

Alok K. Srivastava

260/012

2628

23639 7590 01/04/2007
BINGHAM, MCCUTCHEN LLP
THREE EMBARCADERO CENTER
18 FLOOR
SAN FRANCISCO, CA 94111-4067

EXAMINER

RAMPURIA, SATISH

ART UNIT

PAPER NUMBER

2191

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
--	-----------	---------------

3 MONTHS

01/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/872,590

Applicant(s)

SRIVASTAVA ET AL.

Examiner

Satish S. Rampuria

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/08/2006</u> , <u>11/20/06</u> | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This action is in response to the RCE received on November 20, 2006.
2. Claims amended by the Applicant: 1-5, 20-21, 23, and 32.
3. Claims pending in the application: 1-32.

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 20, 2006 has been entered.

Information Disclosure Statement

5. An initialed and dated copy of Applicant's IDS form 1449 filed on December 08, 2006 is attached to the instant Office action.

Response to Arguments

6. Applicant's arguments with respect to claims have been considered but they are not persuasive.

In the remarks, the applicant has argued that:

Applicants again repeatedly argued in the Remarks that neither Behr nor Berry nor Nashed disclose, "creating a first trace grammar" and "creating a second trace

Art Unit: 2191

grammar wherein the second trace grammar is different than the first trace grammar in which the second trace grammar also complies with the rules of the meta-language grammar", they teach away from having a plurality of different grammars because Behr et al. teach one common format.

Examiner's response:

In response to the Applicants argument, regarding the limitation "creating a first trace grammar" and "creating a second trace grammar wherein the second trace grammar is different than the first trace grammar in which the second trace grammar also complies with the rules of the meta-language grammar". As explained previously that Behr's system disclose a dynamic tracing facility which permits the user to debug the application using Utrace.exe which writes traced information to a trace file (See summary) including multiple traces. In addition, Behr disclose method and apparatus for debug of multiple component applications for access of a legacy database management system via Internet terminal (col. 4, lines 63-67). In order to permit any such access an interface is provided, which translates transaction data transferred from the user over the Internet in HTML format into a format which database management system commands may be generated (col. 5, lines 1-13). Further, if Behr transfers data over the Inter in HTML from or translating data from HTML from in a new format, which can be used in conjunction with a database management system. The act of translating data from HTML format into a new format is similar to materialize a trace in markup language syntax. Furthermore, as indicated during the interview (6/7/2006) that meta language

limitation is very broad and creating meta language is equivalent to a markup language for computing environment it means "HTML and XHTML are examples of markup languages that can be used by anyone wishing to translate media including video, sound, graphics and text into a language intelligible to a computer and suitable for display on the Internet. Originally this required manually typing up an HTML document but there are software programs that will do this now. There are in addition special mark up languages for mathematical and scientific notation such as Tex and LaTeX or one of its many variants. Another common ***example of a metalanguage in computing is XML***. Many other metalanguages have been based on the W3C XML 1.0 standard, including" the excerpt is taken from <http://en.wikipedia.org/wiki/Meta-language> (copy attached in the prior office action) which clearly states that XML is an example of meta language. Applicant only makes general allegations. Therefore, the rejection is proper and maintained herein.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1 and 32 rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: It is not clear what is the use for the limitation "creating a second trace grammar...meta-language grammar". Further

Art Unit: 2191

limitations in the claim and in the dependent claims does not support "creating a second trace grammar...meta-language grammar" limitation.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-6, 8-15, 18-19, 22, 24-29, and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,708,173 to Behr et al., (hereinafter called Behr).

Per claim 1, 2, 5, 8-10, 12, 14, 18, and 19:

- creating a meta-language grammar (col. 5, lines 3-4 "data transferred from the use over the internet in HTML format");
- creating a first trace grammar in which the trace grammar complies with rules of the meta-language grammar (col. 5, lines 4 "the internet in HTML format" and (col. 6, lines 35-36 "UTrace.exe provides the implementation the trace file on behalf of the application");
- creating a second trace grammar wherein the second trace grammar is deferent that the first trace grammar in which the second trace grammar also complies with the rules of the meta-language grammar (col. 5, lines 4 "the internet in

HTML format" and (col. 6, lines 35-36 "UTrace.exe provides the implementation the trace file on behalf of the application");

- generating one or more traces compliant with the first trace grammar (col. 6, lines 36-37 "UTrace... writes trace information to a common trace file");
- parsing the one or more traces (col. 19, lines 58-60 "client builds up trace message using the CUTracer class");
- identifying interrelationships within the one or more traces (col. 19, lines 61-63 "CUTracer class does formatting as determined by its properties, and then invokes one of the IUTrace interface methods"); and
- generating a new version of the one or more traces using a markup language syntax (col. 20, lines 11-24 "initiate... Utrace COM object... prepares the class generic formatting... trace data is stored... trace flags which are stored in a registry (version) value... corresponding registry key" also, fig. 18 and related discussion).

Per claim 3:

The rejection of claim 2 is incorporated, and further, Behr disclose:

- detecting a format conflict between the first trace grammar and the second trace grammar (col. 6, lines 52- 56 "present invention separates the tracing process into tow processes... generally formatting all trace attributes in a common manner... consist of... items as PID, Thread ID and time stamp...").

Art Unit: 2191

Per claim 4:

The rejection of claim 1 is incorporated, and further, Behr disclose:

- generating parsing rules based upon an analysis of the first trace grammar (col. 19, lines 61-62 "CUTracer class does formatting as determined by its properties).

Per claim 6:

The rejection of claim 1 is incorporated, and further, Behr disclose:

- Storing results of parsing in one or more tables (Fig. 18 and related discussion).

Per claim 11:

The rejection of claim 9 is incorporated, and further, Behr disclose:

- Each of the at least tow nodes is represented as a keyword-UID combination (col. 6, lines 54-56 "formatting information consist of such items as PID, Thread ID...").

Per claim 13:

- The semantic network representation language is selected from the group consisting of SnePs, SGML, XML and HTML (col. 5, lines 3-4 "data transferred from the user over the internet in HTML").

Per claim 15:

- The semantic network is built using a semantic network builder system (col. 4, lines 66-67 "multiple component applications for access of a legacy data base management system via").

Claims 22 and 24-29 are the system claims corresponding to method claims 6 and 9-14 respectively, and rejected under the same rationale set forth in connection with the rejection of claims 6 and 9-14 respectively, above.

Claim 32 is the computer product claim corresponding to process claim 1 and rejected under the same rationale set forth in connection with the rejection of claim 1 above.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Behr in view of US Patent No. 6,754,890 to Berry et al. (hereinafter called Berry).

Per claim 7:

Behr does not explicitly disclose the one or more tables comprises hash tables corresponding to keywords in the one or more traces.

However, Berry discloses in an analogous computer system the one or more tables comprises hash tables corresponding to keywords in the one or more traces (col. 10, lines 15-26 "In post-processing... trees and/or hash tables... to maintain names associated the records in the trace file... hash table employs hashing to convert an identifier or a key, meaningful to a user, into a value for the location of the corresponding data in the table").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method one or more tables comprises hash tables corresponding to keywords in the one or more traces as taught by Berry into the method of tracing the applications on the world wide web as taught by Behr. The modification would be obvious because of one of ordinary skill in the art would be motivated to have hash tables with corresponding keywords for traces to separately maintains profile or trace information for multiple, simultaneous profiling sessions as suggested by Berry (col. 2, lines 48-60).

13. Claim 16, 17, 20, 21, 30, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Behr in view of US Patent No. 6,654,749 to Nashed (hereinafter called Nashed).

Per claim 16:

The rejection of claim 8 is incorporated, and further, Behr does not explicitly disclose performing a search of the semantic network base upon a received query.

However, Nashed discloses in an analogous computer system performing a search for the semantic network base upon a received query (col. 3, lines 17-21 "server engine includes a query server containing a search processor which performs searching of the indexed database based on the search query entered and expansion words generated from the search query using semantic network expansion").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method of performing a search for the semantic network base upon a received query as taught by Nashed into the method of tracing the applications on the world wide web as taught by Behr. The modification would be obvious because of one of ordinary skill in the art would be motivated use search engine to provide high quality and highly relevant information concerning a topic of interest identified by search query as suggested by Nashed (col. 2, lines 27-38).

Per claim 17:

The rejection of claim 16 is incorporated, and further, Behr disclose:

- Semantic network is utilized to identify hyperlinks to be embedded into new version of the one or more traces (col. 19, lines 12-15 "The response is then transferred...world wide web... HTML page is presented to the user on workstations").

Art Unit: 2191

Claim 20 and 21 are the system claim corresponding to process claims 1, 8, 17 and 4 and rejected under the same rationale set forth in connection with the rejection of claims 1, 8, 17 and 4 above.

Claims 30 and 31 are the system claims corresponding to process claim 16 and rejected under the same rationale set forth in connection with the rejection of claim 16 above.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Satish S. Rampuria** whose telephone number is **(571) 272-3732**. The examiner can normally be reached on **8:30 am to 5:00 pm** Monday to Friday except every other Friday and federal holidays. Any inquiry of a general nature or relating to the status of this application should be directed to the **TC 2100 Group receptionist: 571-272-2100**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wei Y. Zhen** can be reached on **(571) 272-3708**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Art Unit: 2191

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Satish S. Rampuria
Patent Examiner/Software Engineer
Art Unit 2191



TED VO
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100